

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

City of Chicago,

Plaintiff,

v.

DoorDash, Inc. and Caviar, LLC,

Defendants.

Civil Action No. 1:21-cv-05162

Hon. Jeremy C. Daniel
Magistrate Judge Jeffrey T. Gilbert

JOINT STATUS REPORT

Pursuant to this Court's orders dated December 23, 2022 (ECF No. 90) and December 19, 2022 (ECF No. 87) directing the parties to file a status report seven days after each rolling production deadline to provide information about the last rolling production, what has been produced to date in total, and what remains to be produced, the parties hereby file this Joint Status Report concerning the June 28, 2024 production deadline.

I. Status of the City's Document Productions

A. Documents Produced by the City To Date

As of June 28, the City has produced 8,594 documents, totaling 61,155 pages, in rolling productions. The City's prior productions are described in more detail in the prior joint status reports (ECF Nos. 96, 101, 105, 109, 115, 151, 164, 174, 194, 200, 202, 216, 230, 234, 242, 246, 249, 250, 282, 294, 304, 308, 309, 320, 322).

The City's June 10, 2024 production contained 140 documents and 851 pages. This production contained documents responsive to the following, among others:

- RFP No. 92 (Documents prepared for, discussed in, and/or generated as a result of the May 13, 2021 meeting titled "App-Based Industry Discussion")
- RFP No. 97 (Documents relating to the research, drafting, or interpretation of BACP's April 28, 2020 Third Party Delivery Regulation Brief)
- RFP No. 107 (Documents relating to consumer preferences, habits or behavior relating to the presentation of fees, menu prices and discount advertisements on the DoorDash platform, as well as the listing of unaffiliated restaurants, the accuracy of menus, operating hours and/or menu prices, the payment of delivery drivers, the commissions charged to restaurants, and the Chicago Fee)
- RFP No. 114 (Documents related to any purported benefits DoorDash provided Chicago restaurants)
- RFP No. 116 (Documents related to the City's allegations in Complaint ¶¶ 139, 151, 152)
- RFP No. 117 (Documents related to the City's allegations in Complaint ¶¶ 66, 184)
- RFP No. 118 (Documents related to the City's allegations in Complaint ¶¶ 65, 49-50, 31)
- RFP No. 119 (Documents related to the City's allegations in Complaint ¶¶ 31, 74, 77, 109-110, 137)
- RFP No. 120 (Documents related to the City's allegations in Complaint ¶¶ 125, 132, 143)

The City's June 28, 2024 production contained 167 documents and 1,331 pages. This production contained documents responsive to the following, among others:

- RFP No. 43 (All communications and public statements made by the City regarding the Chicago Fee)
- RFP No. 91 (Documents relating to the December 1, 2020 meeting with Commissioner Rosa Escareño relating to the Chicago Fee)

B. Remaining Documents to be Produced

The City continues to review its overall production for completeness. The City produced an updated privilege log on May 9. The City will supplement the log to reflect privileged documents identified in any future searches agreed to in the parties' discovery negotiations or directed by the Court.

II. Status of DoorDash's Document Productions

A. Documents Produced by DoorDash to Date

DoorDash made a production on June 28, 2024, which included documents DoorDash agreed to produce via compromise with the City prior to the May 15, 2024 Motion to Compel deadline. This production included 52 documents related to promotions, estimated pricing, and the Chicago Fee, as well as datasets related to requested Salesforce issue codes, the Pay Guarantee Model, daily orders, and the City's test orders. Additionally, this production includes reproduction of select documents with higher quality images.

Since August 2022, DoorDash has produced a total of 7,720 documents and 39,340 pages across 27 productions. The documents produced to date include:

- Custodial documents responsive to the City's document requests relating to minimum amount promotional discounts, non-partner restaurants, Dasher pay, consumer fees, and menu pricing;
- Documents identified in known non-custodial locations;
- Documents identified from DoorDash's review of documents produced in related investigations and litigations; and
- Spreadsheets that were created in order to respond to the City's requests for specific data.

Additionally, DoorDash served its privilege log on the City on March 22, 2024.

B. Remaining Documents to be Produced

DoorDash is in the process of collecting, reviewing, and producing additional documents responsive to the City's RFPs, Set Five, served on March 15, 2024. DoorDash also continues to collect, review, and prepare for production additional documents responsive to agreements reached stemming from the meet-and-confer letters and meetings that occurred ahead of the Court's motion-to-compel deadline on May 15, 2024. DoorDash is also in the process of revising and augmenting its privilege log.

DATED: July 3, 2024

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,
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DIVISION**

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